

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2431

54th Legislature
1996 Regular Session

Passed by the House February 5, 1996
Yeas 97 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate February 28, 1996
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2431** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2431

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By House Committee on Transportation (originally sponsored by Representative K. Schmidt)

Read first time 01/17/96.

1 AN ACT Relating to state pilotage exemptions for United States
2 vessels operating on coastwise, fisheries, or recreational
3 endorsements; and amending RCW 88.16.070.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 88.16.070 and 1995 c 174 s 1 are each amended to read
6 as follows:

7 A United States vessel on a voyage in which it is operating
8 exclusively on its coastwise endorsement, its fishery endorsement
9 (including catching and processing its own catch outside United States
10 waters and economic zone for delivery in the United States), and/or its
11 recreational (or pleasure) endorsement, and all United States and
12 Canadian vessels engaged exclusively in the coasting trade on the west
13 coast of the continental United States (including Alaska) and/or
14 British Columbia shall be exempt from the provisions of this chapter
15 unless a pilot licensed under this chapter be actually employed, in
16 which case the pilotage rates provided for in this chapter shall apply.
17 However, the board shall, upon the written petition of any interested
18 party, and upon notice and opportunity for hearing, grant an exemption
19 from the provisions of this chapter to any vessel that the board finds

1 is a small passenger vessel or yacht which is not more than five
2 hundred gross tons (international), does not exceed two hundred feet in
3 length, and is operated exclusively in the waters of the Puget Sound
4 pilotage district and lower British Columbia. Such an exemption shall
5 not be detrimental to the public interest in regard to safe operation
6 preventing loss of human lives, loss of property, and protecting the
7 marine environment of the state of Washington. Such petition shall set
8 out the general description of the vessel, the contemplated use of
9 same, the proposed area of operation, and the name and address of the
10 vessel's owner. The board shall annually, or at any other time when in
11 the public interest, review any exemptions granted to this specified
12 class of small vessels to insure that each exempted vessel remains in
13 compliance with the original exemption. The board shall have the
14 authority to revoke such exemption where there is not continued
15 compliance with the requirements for exemption. The board shall
16 maintain a file which shall include all petitions for exemption, a
17 roster of vessels granted exemption, and the board's written decisions
18 which shall set forth the findings for grants of exemption. Each
19 applicant for exemption or annual renewal shall pay a fee, payable to
20 the pilotage account. Fees for initial applications and for renewals
21 shall be established by rule, and shall not exceed one thousand five
22 hundred dollars. The board shall report annually to the legislature on
23 such exemptions. Every vessel not so exempt, shall while navigating
24 the Puget Sound and Grays Harbor and Willapa Bay pilotage districts,
25 employ a pilot licensed under the provisions of this chapter and shall
26 be liable for and pay pilotage rates in accordance with the pilotage
27 rates herein established or which may hereafter be established under
28 the provisions of this chapter: PROVIDED, That any vessel inbound to
29 or outbound from Canadian ports is exempt from the provisions of this
30 section, if said vessel actually employs a pilot licensed by the
31 Pacific pilotage authority (the pilot licensing authority for the
32 western district of Canada), and if it is communicating with the vessel
33 traffic system and has appropriate navigational charts, and if said
34 vessel uses only those waters east of the international boundary line
35 which are west of a line which begins at the southwestern edge of Point
36 Roberts then to Alden Point (Patos Island), then to Skipjack Island
37 light, then to Turn Point (Stuart Island), then to Kellet Bluff (Henry
38 Island), then to Lime Kiln (San Juan Island) then to the intersection
39 of one hundred twenty-three degrees seven minutes west longitude and

1 forty-eight degrees twenty-five minutes north latitude then to the
2 international boundary. The board shall correspond with the Pacific
3 pilotage authority from time to time to ensure the provisions of this
4 section are enforced. If any exempted vessel does not comply with
5 these provisions it shall be deemed to be in violation of this section
6 and subject to the penalties provided in RCW 88.16.150 as now or
7 hereafter amended and liable to pilotage fees as determined by the
8 board. The board shall investigate any accident on the waters covered
9 by this chapter involving a Canadian pilot and shall include the
10 results in its annual report.

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